

1-1 By: Ellis S.B. No. 1123  
1-2 (In the Senate - Filed March 5, 2007; March 14, 2007, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 16, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;  
1-6 April 16, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1123 By: Nichols

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the creation of the Harris County Improvement District  
1-11 No. 8; providing authority to impose a tax and issue bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. LEGISLATIVE FINDINGS. (a) The legislature  
1-14 finds that the Harris County Improvement District No. 8 is created  
1-15 under the general authority of the Texas Legislature to legislate  
1-16 for the public good.

1-17 (b) The legislature further finds that:

1-18 (1) the area of the proposed Harris County Improvement  
1-19 District No. 8 is in an area that will develop into one of the  
1-20 state's most dynamic activity centers and will be the location of  
1-21 numerous commercial, office, retail, and residential buildings;

1-22 (2) the area is presently served with an inadequate  
1-23 public transportation system and has an inadequate system of  
1-24 streets and public parking facilities;

1-25 (3) residents, workers, visitors, customers, and  
1-26 other persons accessing the area must primarily use motor vehicles,  
1-27 which use will place an undue burden on the street system in the  
1-28 district and result in severe congestion that retards mobility of  
1-29 persons and property and impairs the use of the area as one of the  
1-30 state's primary economic and business centers;

1-31 (4) the absence of an adequate system of parking  
1-32 facilities, including park and ride facilities, discourages the use  
1-33 of public transportation and further aggravates vehicular  
1-34 congestion in the area;

1-35 (5) motor vehicles are generally powered by internal  
1-36 combustion engines that emit pollutants into the air, which results  
1-37 in dangers to the public health and welfare;

1-38 (6) the proliferation of the use of motor vehicles for  
1-39 passenger transportation in the area will be caused in substantial  
1-40 part by the absence of an adequate public transportation system and  
1-41 an adequate system or network of public parking facilities;

1-42 (7) provision of an adequate system of public parking  
1-43 facilities and public transit and transportation facilities will  
1-44 accomplish the public purposes of Section 52-a, Article III, Texas  
1-45 Constitution, by stimulating transportation and commerce in the  
1-46 area and in the state and will serve the further public purpose of  
1-47 reducing the pollutants discharged into the air, thus reducing the  
1-48 threat to the public health and welfare and preserving and  
1-49 conserving the natural resources of this state as mandated by  
1-50 Section 59, Article XVI, Texas Constitution; and

1-51 (8) in order for the area to have an adequate public  
1-52 transit system and an adequate system of public parking it will be  
1-53 necessary for the district to be able to take advantage of all  
1-54 public and private funds and opportunities available and be  
1-55 empowered to contract with other public agencies and with private  
1-56 entities to jointly provide the systems.

1-57 SECTION 2. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8.  
1-58 Subtitle C, Title 4, Special District Local Laws Code, is amended by  
1-59 adding Chapter 3848 to read as follows:

1-60 CHAPTER 3848. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8

1-61 SUBCHAPTER A. GENERAL PROVISIONS

1-62 Sec. 3848.001. DEFINITIONS. In this chapter:

1-63 (1) "Board" means the board of directors of the

2-1 district.

2-2 (2) "District" means the Harris County Improvement  
2-3 District No. 8.

2-4 Sec. 3848.002. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 8.  
2-5 The Harris County Improvement District No. 8 is a special district  
2-6 created under Section 59, Article XVI, Texas Constitution.

2-7 Sec. 3848.003. PURPOSE; DECLARATION OF INTENT. (a) The  
2-8 creation of the district is essential to accomplish the purposes of  
2-9 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
2-10 Texas Constitution, and other public purposes stated in this  
2-11 chapter. By creating the district and in authorizing Harris  
2-12 County, the City of Houston, the Metropolitan Transit Authority of  
2-13 Harris County, and other political subdivisions to contract with  
2-14 the district, the legislature has established a program to  
2-15 accomplish the public purposes set out in Section 52-a, Article  
2-16 III, Texas Constitution.

2-17 (b) The creation of the district is necessary to promote,  
2-18 develop, encourage, and maintain transportation, parking, housing,  
2-19 recreation, the arts, safety, scenic beauty, and the public welfare  
2-20 in the area of the district.

2-21 (c) This chapter and the creation of the district may not be  
2-22 interpreted to relieve Harris County or the City of Houston from  
2-23 providing the level of services provided as of September 1, 2007, to  
2-24 the area in the district. The district is created to supplement and  
2-25 not to supplant the county or city services provided in the area in  
2-26 the district.

2-27 Sec. 3848.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
2-28 (a) The district is created to serve a public use and benefit.

2-29 (b) All land and other property included in the district  
2-30 will benefit from the improvements and services to be provided by  
2-31 the district under powers conferred by Sections 52 and 52-a,  
2-32 Article III, and Section 59, Article XVI, Texas Constitution, and  
2-33 other powers granted under this chapter.

2-34 (c) The district will:  
2-35 (1) promote the health, safety, and general welfare of  
2-36 district residents and the public;

2-37 (2) provide needed funding for the district to  
2-38 preserve, maintain, and enhance the economic health and vitality of  
2-39 the area as a residential neighborhood and a commercially viable  
2-40 area; and

2-41 (3) promote the health, safety, welfare, and enjoyment  
2-42 of the public by providing pedestrian ways and by landscaping and  
2-43 developing certain areas in the district, which are necessary for  
2-44 the restoration, preservation, and enhancement of scenic beauty.

2-45 (d) Pedestrian ways along or across a street, whether at  
2-46 grade or above or below the surface, and street lighting, street  
2-47 landscaping, and street art objects are parts of and necessary  
2-48 components of a street and are considered to be a street or road  
2-49 improvement.

2-50 (e) The district will not act as the agent or  
2-51 instrumentality of any private interest even though the district  
2-52 will benefit many private interests as well as the public.

2-53 Sec. 3848.005. DISTRICT TERRITORY. The district is  
2-54 composed of the territory described by Section 3 of the Act  
2-55 enacting this chapter, as that territory may have been modified  
2-56 under:

- 2-57 (1) Subchapter J, Chapter 49, Water Code; or
- 2-58 (2) other law.

2-59 Sec. 3848.006. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-60 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-61 Chapter 375, Local Government Code, applies to the district.

2-62 Sec. 3848.007. LIBERAL CONSTRUCTION OF CHAPTER. This  
2-63 chapter shall be liberally construed in conformity with the  
2-64 findings and purposes stated in this chapter.

2-65 [Sections 3848.008-3848.050 reserved for expansion]

2-66 SUBCHAPTER B. BOARD OF DIRECTORS

2-67 Sec. 3848.051. COMPOSITION; TERMS. (a) The district is  
2-68 governed by a board of nine voting directors who serve staggered  
2-69 terms of four years, with four or five directors' terms expiring

3-1 June 1 of each odd-numbered year.  
 3-2 (b) The board by resolution may increase or decrease the  
 3-3 number of voting directors on the board, but only if it is in the  
 3-4 best interest of the district to do so. The board may not:

- 3-5 (1) increase the number of directors to more than
- 3-6 nine; or
- 3-7 (2) decrease the number of directors to fewer than
- 3-8 five.

3-9 Sec. 3848.052. APPOINTMENT OF DIRECTORS. The mayor and  
 3-10 members of the governing body of the City of Houston shall appoint  
 3-11 voting directors from persons recommended by the board. A person is  
 3-12 appointed if a majority of the members of the governing body,  
 3-13 including the mayor, vote to appoint that person.

3-14 Sec. 3848.053. NONVOTING DIRECTORS. (a) The following  
 3-15 persons serve as nonvoting directors:

3-16 (1) the directors of the following departments of the  
 3-17 City of Houston or a person designated by that director:

- 3-18 (A) parks and recreation;
- 3-19 (B) planning and development; and
- 3-20 (C) public works; and

3-21 (2) the City of Houston's chief of police.

3-22 (b) If a department described by Subsection (a) is  
 3-23 consolidated, renamed, or changed, the board may appoint a director  
 3-24 of the consolidated, renamed, or changed department as a nonvoting  
 3-25 director. If a department described by Subsection (a) is  
 3-26 abolished, the board may appoint a representative of another  
 3-27 department that performs duties comparable to those performed by  
 3-28 the abolished department.

3-29 Sec. 3848.054. QUORUM. (a) A majority of the board is a  
 3-30 quorum.

3-31 (b) Nonvoting directors and vacant director positions are  
 3-32 not counted for the purposes of establishing a board quorum.

3-33 Sec. 3848.055. COMPENSATION OF VOTING DIRECTORS. Voting  
 3-34 directors may receive fees of office and reimbursement of expenses  
 3-35 as provided by Section 49.060, Water Code.

3-36 Sec. 3848.056. INITIAL VOTING DIRECTORS. (a) The initial  
 3-37 board consists of the following voting directors:

3-38	<u>Pos. No.</u>	<u>Name of Director</u>
3-39	<u>1</u>	<u>Marilee Maden</u>
3-40	<u>2</u>	<u>David Angel</u>
3-41	<u>3</u>	<u>Mike McIver</u>
3-42	<u>4</u>	<u>Jeff Lagow</u>
3-43	<u>5</u>	<u>Wayne Davis</u>
3-44	<u>6</u>	<u>Derrick Mitchell</u>
3-45	<u>7</u>	<u>Theeldon Branch</u>
3-46	<u>8</u>	<u>Tiffany Bingham-Briscoe</u>
3-47	<u>9</u>	<u>Gail Jackson</u>

3-48 (b) Of the initial voting directors, the terms of directors  
 3-49 appointed for positions 1 through 5 expire June 1, 2009, and the  
 3-50 terms of directors appointed for positions 6 through 9 expire June  
 3-51 1, 2011.

3-52 (c) Section 3848.052 does not apply to this section.

3-53 (d) This section expires September 1, 2011.

3-54 [Sections 3848.057-3848.100 reserved for expansion]

3-55 SUBCHAPTER C. POWERS AND DUTIES

3-56 Sec. 3848.101. DEVELOPMENT CORPORATION AND HOUSING  
 3-57 CORPORATION POWERS OF DISTRICT. The district may exercise the  
 3-58 powers given to:

- 3-59 (1) a corporation under Section 4B, Development

4-1 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil  
4-2 Statutes), including the power to own, operate, acquire, construct,  
4-3 lease, improve, and maintain the projects described by that  
4-4 section; and

4-5 (2) a housing finance corporation under Chapter 394,  
4-6 Local Government Code, to provide housing or residential  
4-7 development projects in the district.

4-8 Sec. 3848.102. NONPROFIT CORPORATION. (a) The board by  
4-9 resolution may authorize the creation of a nonprofit corporation to  
4-10 assist and act for the district in implementing a project or  
4-11 providing a service authorized by this chapter.

4-12 (b) The nonprofit corporation:

4-13 (1) has each power of and is considered for purposes of  
4-14 this chapter to be a local government corporation created under  
4-15 Chapter 431, Transportation Code; and

4-16 (2) may implement any project and provide any service  
4-17 authorized by this chapter.

4-18 (c) The board shall appoint the board of directors of the  
4-19 nonprofit corporation. The board of directors of the nonprofit  
4-20 corporation shall serve in the same manner as, for the same term as,  
4-21 and on the same conditions as the board of directors of a local  
4-22 government corporation created under Chapter 431, Transportation  
4-23 Code.

4-24 Sec. 3848.103. AGREEMENTS; GRANTS. (a) The district may  
4-25 make an agreement with or accept a gift, grant, or loan from any  
4-26 person.

4-27 (b) The implementation of a project is a governmental  
4-28 function or service for the purposes of Chapter 791, Government  
4-29 Code.

4-30 Sec. 3848.104. CONTRACT FOR LAW ENFORCEMENT SERVICES. To  
4-31 protect the public interest, the district may contract with Harris  
4-32 County or the City of Houston for the county or the city to provide  
4-33 law enforcement services in the district for a fee.

4-34 Sec. 3848.105. APPROVAL BY CITY OF HOUSTON. (a) Except as  
4-35 provided by Subsection (b), the district must obtain the approval  
4-36 of the City of Houston's governing body for:

4-37 (1) the issuance of a bond for each improvement  
4-38 project;

4-39 (2) the plans and specifications of the improvement  
4-40 project financed by the bond; and

4-41 (3) the plans and specifications of any district  
4-42 improvement project related to the use of land owned by the City of  
4-43 Houston, an easement granted by the City of Houston, or a  
4-44 right-of-way of a street, road, or highway.

4-45 (b) If the district obtains the approval of the City of  
4-46 Houston's governing body of a capital improvements budget for a  
4-47 period not to exceed five years, the district may finance the  
4-48 capital improvements and issue bonds specified in the budget  
4-49 without further approval from the City of Houston.

4-50 Sec. 3848.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
4-51 district may join and pay dues to an organization that:

4-52 (1) enjoys tax-exempt status under Section 501(c)(3),  
4-53 (4), or (6), Internal Revenue Code of 1986; and

4-54 (2) performs a service or provides an activity  
4-55 consistent with the furtherance of a district purpose.

4-56 Sec. 3848.107. ROAD POWERS. (a) The district may exercise  
4-57 the powers given to:

4-58 (1) a road district created under Chapter 257,  
4-59 Transportation Code; and

4-60 (2) a road utility district created under Chapter 441,  
4-61 Transportation Code.

4-62 (b) The district does not need the approval of the Texas  
4-63 Department of Transportation or the Texas Transportation  
4-64 Commission to construct a road or street if the director of public  
4-65 works of the City of Houston has approved the road or street.

4-66 Sec. 3848.108. AIR RIGHTS; CONSTRUCTION. The district may  
4-67 acquire air rights and may construct improvements on property on  
4-68 which it only owns air rights.

4-69 Sec. 3848.109. ADDITIONAL PROPERTY RIGHTS; LEASEHOLDS. The

5-1 district may construct improvements on property on which it only  
5-2 has a leasehold interest and may own undivided interests in  
5-3 buildings and other improvements.

5-4 Sec. 3848.110. NO EMINENT DOMAIN POWER. The district may  
5-5 not exercise the power of eminent domain.

5-6 [Sections 3848.111-3848.150 reserved for expansion]

5-7 SUBCHAPTER D. PUBLIC TRANSIT SYSTEM AND PARKING FACILITIES

5-8 Sec. 3848.151. PUBLIC TRANSIT SYSTEM. The district may  
5-9 acquire, lease as lessor or lessee, construct, develop, own,  
5-10 operate, and maintain a public transit system to serve the area  
5-11 within the boundaries of the district.

5-12 Sec. 3848.152. PARKING FACILITIES AUTHORIZED; OPERATION BY  
5-13 PRIVATE ENTITY; TAX EXEMPTION. (a) The district may acquire,  
5-14 lease as lessor or lessee, construct, develop, own, operate, and  
5-15 maintain parking facilities, including:

5-16 (1) lots, garages, parking terminals, or other  
5-17 structures or accommodations for the parking of motor vehicles; and

5-18 (2) equipment, entrances, exits, fencing, and other  
5-19 accessories necessary for safety and convenience in the parking of  
5-20 vehicles.

5-21 (b) A parking facility of the district must be either leased  
5-22 to or operated on behalf of the district by a private entity or an  
5-23 entity other than the district. The district's parking facilities  
5-24 are a program authorized by the legislature under Section 52-a,  
5-25 Article III, Texas Constitution, and accomplish a public purpose  
5-26 under that section even if leased or operated by a private entity  
5-27 for a term of years.

5-28 (c) The district's public parking facilities and any lease  
5-29 to a private entity are exempt from the payment of ad valorem taxes  
5-30 and state and local sales and use taxes.

5-31 Sec. 3848.153. RULES. The district may adopt rules  
5-32 covering its public transit system or its public parking facilities  
5-33 except that a rule relating to or affecting the use of the public  
5-34 right-of-way or a requirement for off-street parking is subject to  
5-35 all applicable municipal charter, code, or ordinance requirements.

5-36 Sec. 3848.154. FINANCING OF PUBLIC TRANSIT SYSTEM OR  
5-37 PARKING FACILITIES. (a) The district may use any of its  
5-38 resources, including revenue, assessments, taxes, and grant or  
5-39 contract proceeds, to pay the cost of acquiring and operating a  
5-40 public transit system or public parking facilities.

5-41 (b) The district may set and impose fees, charges, or tolls  
5-42 for the use of the public transit system or the public parking  
5-43 facilities and may issue bonds or notes to finance the cost of these  
5-44 facilities.

5-45 [Sections 3848.155-3848.200 reserved for expansion]

5-46 SUBCHAPTER E. FINANCIAL PROVISIONS

5-47 Sec. 3848.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
5-48 board by resolution shall establish the number of directors'  
5-49 signatures and the procedure required for a disbursement or  
5-50 transfer of the district's money.

5-51 Sec. 3848.202. MAINTENANCE TAX. (a) If authorized at an  
5-52 election held in accordance with Section 3848.207, the district may  
5-53 impose an annual ad valorem tax on taxable property in the district  
5-54 to:

- 5-55 (1) administer the district;
- 5-56 (2) maintain and operate the district;
- 5-57 (3) construct or acquire improvements; or
- 5-58 (4) provide a service.

5-59 (b) The board shall determine the tax rate.

5-60 (c) An owner of real property in the district, except  
5-61 property exempt under the Texas or United States Constitution or  
5-62 under the Tax Code, is liable for the payment of ad valorem taxes  
5-63 imposed by the district on the property.

5-64 Sec. 3848.203. ASSESSMENTS; LIENS FOR ASSESSMENTS.  
5-65 (a) The board by resolution may impose and collect an assessment  
5-66 for any purpose authorized by this chapter.

5-67 (b) An assessment, a reassessment, or an assessment  
5-68 resulting from an addition to or correction of the assessment roll  
5-69 by the district, penalties and interest on an assessment or

6-1 reassessment, an expense of collection, and reasonable attorney's  
6-2 fees incurred by the district:

6-3 (1) are a first and prior lien against the property  
6-4 assessed;

6-5 (2) are superior to any other lien or claim other than  
6-6 a lien or claim for county, school district, or municipal ad valorem  
6-7 taxes; and

6-8 (3) are the personal liability of and a charge against  
6-9 the owners of the property even if the owners are not named in the  
6-10 assessment proceedings.

6-11 (c) The lien is effective from the date of the board's  
6-12 resolution imposing the assessment until the date the assessment is  
6-13 paid. The board may enforce the lien in the same manner that the  
6-14 board may enforce an ad valorem tax lien against real property.

6-15 (d) The board may make a correction to or deletion from the  
6-16 assessment roll that does not increase the amount of assessment of  
6-17 any parcel of land without providing notice and holding a hearing in  
6-18 the manner required for additional assessments.

6-19 Sec. 3848.204. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
6-20 ASSESSMENTS. The district may not impose an impact fee or  
6-21 assessment on the property, including the equipment,  
6-22 rights-of-way, facilities, or improvements, of:

6-23 (1) an electric utility or a power generation company  
6-24 as defined by Section 31.002, Utilities Code;

6-25 (2) a gas utility as defined by Section 101.003 or  
6-26 121.001, Utilities Code;

6-27 (3) a telecommunications provider as defined by  
6-28 Section 51.002, Utilities Code; or

6-29 (4) a person who provides to the public cable  
6-30 television or advanced telecommunications services.

6-31 Sec. 3848.205. BONDS AND OTHER OBLIGATIONS. (a) The  
6-32 district may issue bonds or other obligations payable wholly or  
6-33 partly from assessments, impact fees, revenue, grants, or other  
6-34 money of the district, or any combination of those sources of money,  
6-35 to pay for any authorized purpose of the district.

6-36 (b) In exercising the district's power to borrow, the  
6-37 district may issue a bond or other obligation in the form of a bond,  
6-38 note, certificate of participation or other instrument evidencing a  
6-39 proportionate interest in payments to be made by the district, or  
6-40 other type of obligation.

6-41 Sec. 3848.206. LIMIT ON PARKS AND RECREATION BONDS. Bonds  
6-42 issued to finance parks and recreational facilities may not exceed  
6-43 one percent of the assessed value of the real property in the  
6-44 district according to the most recent certified tax appraisal roll  
6-45 for Harris County.

6-46 Sec. 3848.207. TAX AND BOND ELECTIONS. (a) The district  
6-47 shall hold an election in the manner provided by Subchapter L,  
6-48 Chapter 375, Local Government Code, to obtain voter approval before  
6-49 the district imposes a maintenance tax or issues bonds payable from  
6-50 ad valorem taxes.

6-51 (b) The board may not include more than one purpose in a  
6-52 single proposition at an election.

6-53 Sec. 3848.208. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT  
6-54 OBLIGATIONS. Except as provided by Section 375.263, Local  
6-55 Government Code, a municipality is not required to pay a bond, note,  
6-56 or other obligation of the district.

6-57 [Sections 3848.209-3848.250 reserved for expansion]

6-58 SUBCHAPTER F. DISSOLUTION

6-59 Sec. 3848.251. DISSOLUTION OF DISTRICT WITH OUTSTANDING  
6-60 DEBT. (a) The board may dissolve the district regardless of  
6-61 whether the district has debt. Section 375.264, Local Government  
6-62 Code, does not apply to the district.

6-63 (b) If the district has debt when it is dissolved, the  
6-64 district shall remain in existence solely for the purpose of  
6-65 discharging its debts. The dissolution is effective when all debts  
6-66 have been discharged.

6-67 SECTION 3. BOUNDARIES. As of the effective date of this  
6-68 Act, the Harris County Improvement District No. 8 includes all  
6-69 territory contained in the following described area:

7-1 METES AND BOUNDS DESCRIPTION OF 104.196 ACRES OF LAND IN THE JOHN  
7-2 WALTERS SURVEY, ABSTRACT NUMBER 874 HOUSTON, HARRIS COUNTY, TEXAS.  
7-3 104.196 acres (4,538,793 square feet) of land, being three  
7-4 non-contiguous tracts, being all of Unrestricted Reserves "A", "B"  
7-5 and "C" of Six Flags Astroworld, Replat No. 1, as recorded under  
7-6 Film Code Number 580010 of Harris County Map Records, in the John  
7-7 Walters Survey, Abstract Number 874, Houston, Harris County, Texas,  
7-8 said 104.196 acres being more particularly described as follows  
7-9 (bearings are based on the Texas State Plane Coordinate System,  
7-10 South Central Zone (NAD 83), as derived from GPS observations based  
7-11 on Continuously Operating Reference Station (CORS) Houston 2  
7-12 (COH2)):  
7-13 UNRESTRICTED RESERVE "A" 101.832 acres (4,435,829 square feet)  
7-14 BEGINNING at a 5/8-Inch Iron rod found in the southerly  
7-15 right-of-way line of Interstate Highway 610 (South Loop West) (350  
7-16 feet wide) as recorded in Harris County Clerk's File Number  
7-17 B532643, for the most northerly northwest corner of said Reserve  
7-18 "A" and the northeast corner of the residue of a called 7.697 acre  
7-19 tract of land described in a deed to John Jay Davis. and James  
7-20 Donahue Davis, as recorded under Harris County Clerk's File Number  
7-21 N205522;  
7-22 THENCE, along the southerly right-of-way line of said Interstate  
7-23 Highway 610, as follows:  
7-24 North 85 degrees 43 minutes 49 seconds East, a distance of 764.67  
7-25 feet, to a 3/4-inch iron rod with "CLR" cap found for a point of  
7-26 curve;  
7-27 Along the arc of a 5938.17 foot radius curve to the left, having a  
7-28 central angle of 10 degrees 56 minutes 34 seconds, an arc length of  
7-29 1134.11 feet, and a chord  
7-30 which bears North 80 degrees 15 minutes 33 seconds East, a distance  
7-31 of 1132.39 feet, to a 5/8-inch iron rod found for a point of  
7-32 tangency;  
7-33 North 74 degrees 47 minutes 16 seconds East, a distance of 474.85  
7-34 feet, to a 3/4-inch iron rod with "CLR" cap found for a point of  
7-35 curve;  
7-36 THENCE, leaving the southerly right-of-way line of said Interstate  
7-37 Highway 610, along the arc of a 25.00 foot radius curve to the  
7-38 right, having a central angle of 46 degrees 50 minutes 13 seconds,  
7-39 an arc length of 20.44 feet, and a chord which bears South 81  
7-40 degrees 47 minutes 38 seconds East, a distance of 19..87 feet, to a  
7-41 point for corner in the west right-of-way line of *Fannin Street*  
7-42 (*width varies*) (*corner unable to be set*);  
7-43 THENCE, along the westerly right-of-way line of said *Fannin Street*,  
7-44 as follows:  
7-45 South 03 degrees 37 minutes 26 seconds East, a distance of 13.64  
7-46 feet, to a point of curve (*corner unable to be set*);  
7-47 Along the arc of a 3010.00 foot radius curve to the left, having a  
7-48 central angle of 01 degree 13 minutes 03 seconds, an arc length of  
7-49 63.96 feet, and a chord which bears South 04 degrees 13 minutes 57  
7-50 seconds East, a distance of 63.96 feet, to a 3/4-inch iron rod with  
7-51 "CLR" cap found for a point of tangency;  
7-52 South 04 degrees 50 minutes 28 seconds East, a distance of 212.17  
7-53 feet, to a 3/4-inch iron rod with "CLR" cap found for corner;  
7-54 South 02 degrees 28 minutes 41 seconds East, a distance of 136.62  
7-55 feet, to a point for corner (*corner unable to be set*);  
7-56 South 00 degrees 40 minutes 14 seconds East, a distance of 870.60  
7-57 feet, to a 5/8-inch iron rod with "*Clarkson*" cap found in the north  
7-58 line of a called 6.289 acre tract of land described in a deed to  
7-59 Metropolitan Transit Authority of Harris County, Texas, as recorded  
7-60 under Harris County Clerk's File Number V491408, for the most  
7-61 easterly southeast corner hereof;  
7-62 THENCE, South 68 degrees 55 minutes 46 seconds West, a distance of  
7-63 526.60 feet, leaving the westerly right-of-way line of said *Fannin*  
7-64 *Street*, to a 5/8-inch iron rod found for the northwest corner of  
7-65 said called 6.289 acre tract and for an interior corner hereof;  
7-66 THENCE, South 16 degrees 48 minutes 57 seconds East, a distance of  
7-67 592.88 feet, to a cut "X" in the top of a concrete wall found in the  
7-68 northerly right-of-way  
7-69 line of *West Bellfort Avenue* (*width varies*), for the southwest

8-1 corner of said called 6.289 acre tract and the most southerly  
8-2 southeast corner hereof;  
8-3 THENCE, along the northerly right-of-way line of said West Bellfort  
8-4 Avenue, as follows;  
8-5 Along the arc of a 1094.45 foot radius non-tangent curve to the  
8-6 right, having a central angle of 04 degrees 38 minutes 31 seconds,  
8-7 an arc length of 88.67 feet, and a chord which bears South 84  
8-8 degrees 25 minutes 50 seconds West, a distance of 88.65 feet, to a  
8-9 cut "X" in the top of a concrete wall found for a point of tangency;  
8-10 South 86 degrees 45 minutes 05 seconds West, a distance of 1296.70  
8-11 feet, to a 3/4-inch Iron rod with "CLR" cap found for a point of  
8-12 curve;  
8-13 *Along the arc of a 1960.00 foot radius curve to the right, having a*  
8-14 *central angle of 16 degrees 59 minutes 02 seconds, an arc length of*  
8-15 *580.99 feet, and a chord which bears North 84 degrees 45 minutes 24*  
8-16 *seconds West, a distance of 578.87 feet, to a 3/4-inch iron rod with*  
8-17 *"CLR" cap found for a point of tangency;*  
8-18 North 76 degrees 15 minutes 52 seconds West, a distance of 359.92  
8-19 feet, to a 3/4-inch Iron rod with "CLR" cap found for a point of  
8-20 curve;  
8-21 Along the arc of a 2050.00 foot radius non-tangent curve to the  
8-22 left, having a central angle of 02 degrees 20 minutes 12 seconds, an  
8-23 arc length of 83.60 feet, and a chord which bears North 77 degrees  
8-24 34 minutes 45 seconds West, a distance of 83.59 feet, to a 3/4-inch  
8-25 iron rod with "CLR" cap found for a point of tangency;  
8-26 North 40 degrees 38 minutes 02 seconds West, a distance of 31.42  
8-27 feet, to a 3/4-inch iron rod with "CLR" cap found for the northwest  
8-28 end of a cut-back at the northeast corner of the intersection of  
8-29 said West Bellfort Drive and Kirby Drive (width varies) for the most  
8-30 westerly southwest corner hereof;  
8-31 THENCE, North 02 degrees 27 minutes 33 seconds West, a distance of  
8-32 713.06 feet, along the easterly right-of-way line of said Kirby  
8-33 Drive, to a 5/8-inch iron rod found for the southwest corner of the  
8-34 aforementioned called 7.697 acre tract, and the most westerly  
8-35 northwest corner hereof;  
8-36 THENCE, North 86 degrees 33 minutes 51 seconds East, a distance of  
8-37 399.78 feet, leaving the easterly right-of-way line of said Kirby  
8-38 Drive, to a 3/4-Inch rod found for the southeast corner of said  
8-39 called 7.697 acre tract, and an interior corner hereof;  
8-40 THENCE, North 02 degrees 16 minutes 18 seconds West, a distance of  
8-41 848.62 feet, to the POINT OF BEGINNING and containing a computed  
8-42 area of 101.832 acres (4,435,829 square feet) of land in said.  
8-43 Unrestricted Reserve "A".  
8-44 UNRESTRICTED RESERVE "B" 1.909 acres (83,157 square feet)  
8-45 BEGINNING at a 5/8-Inch Iron rod found in the easterly right-of-way  
8-46 line of said Kirby Drive, for the northwest corner of Unrestricted  
8-47 Reserve "F" in Section I of South Point Business Park, as recorded  
8-48 in Volume 230, Page 136, Harris County Map Records, and the  
8-49 southwest corner hereof;  
8-50 THENCE, North 02 degrees 27 minutes 33 seconds West, a distance of  
8-51 145.37 feet, along the easterly right-of-way line of said Kirby  
8-52 Drive, to a point for corner in a power pole at the southwesterly  
8-53 end of a curve return at the southeast corner of the intersection of  
8-54 said Kirby Drive and the aforementioned West Bellfort Drive;  
8-55 THENCE, leaving the easterly right-of-way line of said Kirby Drive,  
8-56 along the arc of a 50.00 foot radius non-tangent curve to the right,  
8-57 having a central angle of 106 degrees 46 minutes 14 seconds, an arc  
8-58 length of 9317 feet, and a chord which bears North 50 degrees 41  
8-59 minutes 45 seconds East, a distance of 80.27 feet, to a 3/4-inch  
8-60 iron rod with "CLR" cap found for a point of compound curve;  
8-61 THENCE, along the south right-of-way line of said West Bellfort  
8-62 Avenue, as follows;  
8-63 Along the arc of a 1950.00 foot radius curve to the right, having a  
8-64 central angle of 00 degrees 15 minutes 30 seconds, an arc length of  
8-65 8.79 feet, and a chord which bears South 76 degrees 23 minutes 37  
8-66 seconds East, a distance of 8.79 feet, to a 3/4-inch iron rod with  
8-67 "CLR" cap found for a point of tangency;  
8-68 South 76 degrees 15 minutes 52 seconds East, a distance of 294.43  
8-69 feet, to a 3/4-inch iron rod with "CLR" cap found for a point of

9-1 curve;  
 9-2 Along the arc of a 2040.00 foot radius non-tangent curve to the  
 9-3 left, having a central angle of 16 degrees 59 minutes 03 seconds, an  
 9-4 arc length of 604.71 feet, and a chord which bears South 84 degrees  
 9-5 46 minutes 12 seconds East, a distance of 602.50 feet, to a 3/4-inch  
 9-6 iron rod with "CLR" cap found for a point of tangency;  
 9-7 North 86 degrees 44 minutes 17 seconds East, a distance of 88.58  
 9-8 feet, to a 3/4-inch Iron rod with "CLR" cap found for the northwest  
 9-9 end of a cut-back corner at the southwest corner of the intersection  
 9-10 of said West Bellfort Drive and Centerpoint Drive (60 feet wide);  
 9-11 THENCE, South 47 degrees 54 minutes 45 seconds East, a distance of  
 9-12 21.14 feet, leaving the south right-of-way line of said West  
 9-13 Bellfort Drive, to a 3/4-inch iron rod with "CLR" cap found for the  
 9-14 southeast end of said cut-back corner in the westerly right-of-way  
 9-15 line of said Centerpoint Drive, the northeast corner of  
 9-16 Unrestricted Reserve "B" in Section II of said South Point Business  
 9-17 Park, and the southeast corner hereof;  
 9-18 THENCE, South 86 degrees 44 minutes 26 seconds West, a distance of  
 9-19 1056.25 feet, leaving the westerly right-of-way line of said  
 9-20 Centerpoint Drive, with the north line of Section I and Section II  
 9-21 of said South Point Business Park, to the POINT OF BEGINNING and  
 9-22 containing a computed area of 1.909 acres (83,157 square feet) of  
 9-23 land in said Unrestricted Reserve "B".  
 9-24 UNRESTRICTED RESERVE "C" 0.455 acres (19,807 square feet)  
 9-25 BEGINNING at a 3/4-inch iron rod with "CLR" cap found in the  
 9-26 northerly right-of-way line of the aforementioned West Bellfort  
 9-27 Drive, for the northwest corner of the residue of a Houston Lighting  
 9-28 & Power Company Fee Strip, recorded in Volume 1781, Page 199, of the  
 9-29 Harris County Deed Records, and the northeast corner hereof;  
 9-30 THENCE, South 16 degrees 48 minutes 57 seconds East, a distance of  
 9-31 19.94 feet, to a 1-inch galvanized iron pipe found in the north line  
 9-32 of Unrestricted Reserve "A" in Section III of the aforementioned  
 9-33 South Point Business Park, and the southeast corner hereof;  
 9-34 THENCE, South 86 degrees 44 minutes 26 seconds West, a distance of  
 9-35 1313.64 feet, along the north line Section III and Section II of  
 9-36 said South Point Business Park, to a cut "X" set in the tip of a  
 9-37 concrete culvert in the easterly right-of-way line of the  
 9-38 aforementioned Centerpoint Drive, being the southwest end of  
 9-39 a cut-back corner at the southeast corner of the Intersection of  
 9-40 said West Bellfort Drive and said Centerpoint Drive and the  
 9-41 southwest corner hereof;  
 9-42 THENCE, North 42 degrees 05 minutes 15 seconds East, a distance of  
 9-43 21.40 feet, to a 3/4-inch iron rod with "CLR" cap found in the  
 9-44 southerly right-of-way line of said West Bellfort Drive, for the  
 9-45 northeast end of said cut-back corner and the northwest corner  
 9-46 hereof;  
 9-47 THENCE, North 86 degrees 44 minutes 17 seconds East, a distance of  
 9-48 1186.52 feet, along the southerly right-of-way line of said West  
 9-49 Bellfort Drive, to a 3/4-inch iron rod with "CLR" cap found for a  
 9-50 point of curve;  
 9-51 THENCE, continuing along the southerly right-of-way fine of said  
 9-52 West Bellfort Drive, along the arc of a 1341.97 foot radius curve to  
 9-53 the left, having a central angle of 04 degrees 34 minutes 58  
 9-54 seconds, an arc length of 107.34 feet, and a chord which bears North  
 9-55 84 degrees 26 minutes 48 seconds East, a distance of 107.31 feet, to  
 9-56 the POINT OF BEGINNING and containing a computed area of 0.455 acres  
 9-57 (19,807 square feet) of land in said Unrestricted Reserve "C", and  
 9-58 containing a total aggregate area of 104.196 acres (4,538,793  
 9-59 square feet) of land.

9-60 SECTION 4. REIMBURSEMENT FOR COST OF CREATION. The Harris  
 9-61 County Improvement District No. 8 may reimburse the cost of  
 9-62 creating the district from assessments or other revenues created by  
 9-63 the district.

9-64 SECTION 5. ADDITIONAL LEGISLATIVE FINDINGS. The  
 9-65 legislature finds that:

9-66 (1) proper and legal notice of the intention to  
 9-67 introduce this Act, setting forth the general substance of this  
 9-68 Act, has been published as provided by law, and the notice and a  
 9-69 copy of this Act have been furnished to all persons, agencies,

10-1 officials, or entities to which they are required to be furnished by  
10-2 the constitution and laws of this state, including the governor,  
10-3 who has submitted the notice and Act to the Texas Commission on  
10-4 Environmental Quality;

10-5 (2) the Texas Commission on Environmental Quality has  
10-6 filed its recommendations relating to this Act with the governor,  
10-7 lieutenant governor, and speaker of the house of representatives  
10-8 within the required time;

10-9 (3) the general law relating to consent by political  
10-10 subdivisions to the creation of districts with conservation,  
10-11 reclamation, and road powers and the inclusion of land in those  
10-12 districts has been complied with; and

10-13 (4) all requirements of the constitution and laws of  
10-14 this state and the rules and procedures of the legislature with  
10-15 respect to the notice, introduction, and passage of this Act have  
10-16 been fulfilled and accomplished.

10-17 SECTION 6. EFFECTIVE DATE. This Act takes effect  
10-18 immediately if it receives a vote of two-thirds of all the members  
10-19 elected to each house, as provided by Section 39, Article III, Texas  
10-20 Constitution. If this Act does not receive the vote necessary for  
10-21 immediate effect, this Act takes effect September 1, 2007.

10-22 \* \* \* \* \*